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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH

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PACIFICORP, d/b/a ROCKY MOUNTAIN  
POWER,  
Plaintiff,  
v.

EARTH, WIND, SOLAR, INC, d/b/a CLEAR  
HOME SOLAR; SOLCIUS, LLC; SOLCIUS  
HOLDINGS, LLC

Defendants.

**MEMORANDUM DECISION AND  
ORDER GRANTING  
PACIFICORP'S MOTION FOR  
TEMPORARY RESTRAINING ORDER**

2:19-cv-376

Chief District Judge Robert J. Shelby

Magistrate Judge Cecilia M. Romero

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This is a trademark infringement case. Before the court is Plaintiff's Motion for Temporary Restraining Order.<sup>1</sup> Defendants received notice of the Motion.<sup>2</sup> Defendants subsequently received notice of the June 13, 2019 status and scheduling conference concerning the Motion.<sup>3</sup> Defendants failed to appear at the conference. As of the date of this Order, Defendants have not participated in this case. For Defendants' failure to respond to the Motion, for Defendants' failure to appear at the status and scheduling conference, and for good cause showing, the court GRANTS Plaintiff's Motion. *See* DUCivR 7-1 (d).

It is therefore ORDERED:

1. Defendant is enjoined from advertising, offering for sale or selling any product or service using the ROCKY MOUNTAIN POWER Mark or any other confusingly similar mark without express, written permission from RMP;

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<sup>1</sup> Dkt. 7.


<sup>2</sup> Dkt. 13.

<sup>3</sup> Dkts. 16, 17.

2. Defendant is enjoined from implying that RMP has “approved,” “licensed,” or “endorsed” Defendant, its products, or its services in any way;
3. Pursuant to Federal Rule of Civil Procedure 65(c), RMP is required to post a \$10,000.00 security bond. RMP has filed notice with the Court that the bond has been posted;<sup>4</sup>
4. Pursuant to Federal Rule of Civil Procedure 65(b)(2), this Order expires 14 days from the date of this Order. However, absent an appearance from Defendant in this matter by July 15, 2019, the court finds good cause to automatically renew and extend the Order for an additional 14 days.

SO ORDERED this 1st day of July, 2019 at 4:00 p.m.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'R. J. Shelby', is written over a horizontal line.

ROBERT J. SHELBY  
Chief United States District Judge

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<sup>4</sup> Dkt. 21.